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**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Application Number: 09/997,960
Filing Date: November 29, 2001
Appellant(s): GUPTA, BHUPESH

Volel Emile
For Appellant

EXAMINER'S ANSWER

This is in response to the substitute appeal brief filed 01/12/07 appealing from the Office action mailed 08/24/05.

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(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

Microsoft FrontPage, 12/31/99, Screen Shots, pp. 1-7

6,546,393

KHAN

04-2003

Web Definition, "highlight", 09/01/96, pp. 1-2,

<http://www.webopedia.com/TERM/H/highlight.html>

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claims 1-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Microsoft FrontPage, 12/31/99, Screen Shots pp. 1-7 in view of Khan (US-6,546,393 04/08/03).

-In regard to independent claims 1, 7, 13, and 19, FrontPage claims a method, apparatus, and a computer program product for web management comprising:

creating a copy of links to files (pp. 3: "Copy") stored in a first sub-folder (pp. 2: "Sub-Folder 1" stores link to file "new_page_2.htm) and storing (pp. 4: "Paste") the copy of links to files in a second sub-folder (pp. 5: "Sub-Folder 2" stores copied files in Sub-Folder 1).

FrontPage does not specifically teach wherein the links to files were bookmarks. Kahn teaches a bookmark management system wherein bookmarks were also known as links or shortcuts (column 14, lines 44-48). It would have been obvious to one of ordinary skill in the art at the

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time of the invention, for the links to files in FrontPage to have been considered bookmarks, because Kahn teaches that bookmarks were notoriously well known in the art to include the above mentioned links or shortcuts to files (column 14, lines 44-48).

-In regard to dependent claims 2, 8, 14, and 20, FrontPage teaches marking said copy as having been originated from said first sub-folder (pp. 6: i.e. copy of “new_page_2.htm” was shown to have originated from said first sub-folder by residing within “Sub-Folder 1”).

-In regard to dependent claims 3, 9, 15, and 21, FrontPage teaches when the second sub-folder was accessed (pp. 6) the bookmarks originally stored therein (pp. 6: “reqdtoc.htm” and “status.htm”) and the copy (pp.6: “new_page_2.htm”) are displayed in a distinguishing manner (i.e. Separated by the “Sub-Folder 1” Heading).

-In regard to dependent claims 4, 10, 16, and 22, FrontPage teaches wherein the distinguishing manner includes displaying the copy under a title (pp. 6: copy of “new_page_2.htm” displayed under the title “Sub-Folder 1”).

-In regard to dependent claims 5, 11, 17, and 23, FrontPage teaches wherein the title was the name of the first sub-folder (pp.6: Title Name is “Sub-Folder 1”).

-In regard to dependent claims 6, 12, 18, and 24, FrontPage teaches wherein the distinguishing manner includes being able to highlight the copy (pp. 7: "new_page_2.htm" is highlighted).

Claim 25 is rejected under 35 U.S.C. 103(a) as being unpatentable over Microsoft FrontPage, 12/31/99, Screen Shots pp. 1-7 in view of Khan (US-6,546,393 04/08/03) in further view of Web Definition, "highlight", 09/01/96, pp. 1-2, <http://www.webopedia.com/TERM/H/highlight.html>.

-In regard to independent claim 25, FrontPage teaches a computer implemented method of linking a first sub-folder to a second sub-folder in a bookmark folder comprising the steps of:

copying (pp. 3: "Copy") all bookmarks (pp. 2: "new_page_2.htm") stored in the first sub-folder (pp. 2: "Sub-Folder 1") into the second sub-folder (pp. 4: "Paste"); and

assembling all the bookmarks (pp. 5: "reqtoc.htm" & "status.htm") originally stored in the second sub-folder (pp. 5: "Sub-Folder 2") into a first group (i.e. grouped outside the copied Sub-Folder1 grouping) and the bookmarks (pp. 6: "new_page_2.htm") copied into the second sub-folder into a second group (pp. 6: grouped inside the "Sub-Folder1" heading) in the second sub-folder (pp. 6: "Sub-Folder2").

FrontPage does not specifically teach wherein the links to files were bookmarks. Kahn teaches a bookmark management system wherein bookmarks were also known as links or shortcuts (column 14, lines 44-48). It would have been obvious to one of ordinary skill in the art at the time of the invention, for the links to files in FrontPage to have been considered

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bookmarks, because Kahn teaches that bookmarks were notoriously well known in the art to include the above mentioned links or shortcuts to files (column 14, lines 44-48).

FrontPage teaches when the second sub-folder was opened being able to display bookmarks in the first group (i.e. grouped outside the copied Sub-Folder1 grouping) (pp. 6: "reqtoc.htm" & "status.htm") and bookmarks in the second group highlighted (pp. 7: grouped inside the "Sub-Folder1" heading). FrontPage does not specifically teach highlighting the first group instead of the second group and only displaying bookmarks when opening the second sub-folder (i.e. it additionally shows a folder heading to group the copied bookmarks). Web Definition teaches that it was notoriously well known at the time of the invention to highlight any selected blocks of text to provided the benefit of making said text object stand out by displaying it in a different mode from other objects (Definition: "Highlight"). It would have been obvious to one of ordinary skill in the art at the time of the invention for FrontPage to have highlighted the links of the first group instead of the second group as well as only show bookmarks, because Web Definition taught that the highlighting of different objects was notoriously well known in the art at the time of the invention to provide the benefit of visually differentiating objects, which would have allowed FrontPage to visually show which bookmark links were original to second sub-folder and which were copied into the second sub-folder from the first sub-folder without the need of showing the folder heading containing the second group.

(10) Response to Argument

Appellant's arguments filed 01/12/07 have been fully considered but they are not persuasive.

-In regard to substantially similar independent claims 1, 7, 13, and 19, as well as independent claim 25, Appellant argues that Microsoft FrontPage Screen Shots do not teach creating a copy of bookmarks stored in a first sub-folder and storing the copy into a second sub-folder (Arguments: Page 4, Paragraph 1). The Examiner respectfully disagrees with the Appellant's argument and believes that the Microsoft FrontPage Screen Shots in view of the Kahn reference clearly teach said limitations.

Appellant's argued independent claims require two key limitations. The first key limitation is "creating a copy of bookmarks stored in the first sub-folder." The Microsoft FrontPage Screen Shots clearly teach in the second page, two distinct sub-folders (i.e. "Sub-Folder 1" and "Sub-Folder 2") wherein each distinct sub-folder contains distinct bookmark content (i.e. Sub-Folder 1 contains bookmark "new_page_2.htm" while Sub-Folder 2 contains "reqdtoc.htm" and "status.htm"). The third page of the Microsoft FrontPage Screen Shots clearly teaches a copy command, wherein a copy of "Sub-Folder 1" was created as well as a copy of the contents of "Sub-Folder 1"(i.e. "new_page_2.htm" as noted above). Wherein the Appellant argues that only the sub-folder is copied and not the content of the sub-folder, the Examiner points to the forth, fifth, and sixth pages of the Microsoft Front Page Screen Shots, which clearly teach pasting the content of the previous copy command into the second sub-folder (i.e. page 4), wherein the pasted content included a copy of the first sub-folder (i.e. page 5 which shows a copy of "Sub-Folder 1" inside "Sub-Folder 2" as shown by the nested hierarchy), and

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wherein a copy of the content (i.e. "new_page_2.htm") of the first sub-folder was also copied into the second sub-folder (i.e. page 6 which shows "new_page_2.htm" nested within the copy of "Sub-Folder 1" which in turn, as discussed above, was nested within "Sub-Folder 2").

The second key limitation of the independent claims was "storing the copy into the second sub-folder." Pages six and seven of the Microsoft FrontPage Screen Shots teach the end result of the above mentioned process of copying and pasting between sub-folders containing bookmark content. Pages six and seven clearly teach wherein after the pasting, a copy of the bookmark content stored in the first sub-folder (i.e. "new_page_2.htm") was stored in the second sub-folder (i.e. the highlighted "new_page_2.htm").

In reference to the Appellant's general arguments, the Examiner does agree with the Appellant that a copy of the first-subfolder was created and stored in the second-sub-folder. However during this process, the Microsoft FrontPage Screen Shots clearly teach wherein a copy of the bookmark content within the first sub-folder was also created and stored within the second sub-folder, which are the key limitations of the independent claims. The Examiner notes that the limitations of the independent claims do not preclude the copying of the first sub-folder, as long as a copy of the folder's contents are created and stored in a second sub-folder. The Examiner also notes that Arguments presented in the third paragraph are immaterial in that the limitations of the noted independent claims are silent on what would be displayed when accessing the second sub-folder. For the sake of argument, the Examiner respectfully disagrees with the Appellant in that page seven of the Microsoft FrontPage Screen Shots clearly teaches when accessing the second sub-folder (i.e. "Sub-Folder 2") the original content of the second sub-folder (i.e. "reqdtoc.htm" and "status.htm") as well as the content (i.e. the highlighted

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“new_page_2.htm”) of the first sub-folder (i.e. “Sub-Folder 1”) would be displayed. Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

In regard to independent claim 25, the Appellant additionally argues that Examiner did not assert that any of the references teach the limitation of, “when the second sub-folder was opened only bookmarks are displayed.” The Examiner respectfully disagrees with the Appellant. As discussed above, page seven of the Microsoft FrontPage Screen Shots clearly teaches when opening the second sub-folder displaying all the bookmarks within the second sub-folder as well as delineating the copied bookmarks from the original bookmarks with a folder heading (Page 7: i.e. “Sub-Folder 1”). Thus the Microsoft FrontPage Screen Shots teach showing a distinguishing feature to divide the two types of bookmarks. The Web Definition additionally relied upon teaches the notoriously well known feature of utilizing highlighting to distinguish different objects to provide the benefit of visually differentiating objects. Thus it would have been obvious to one of ordinary skill in the art at the time of the invention, for the Microsoft FrontPage Screen Shots to have highlighted the first group of bookmarks instead of separating the different bookmarks by a folder-heading which would have allowed FrontPage to visually show which bookmark links were original to second sub-folder and which were copied into the second sub-folder from the first sub-folder without the need of showing the folder heading containing the second group.

The Examiner also notes that the phrase, “only bookmarks are displayed”, has been given the broadest reasonable interpretation in view of the claimed language which itself teaches showing not only the stored bookmarks, but also teaches displaying highlighting. Thus the “only

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bookmarks" limitation has been interpreted to mean displaying bookmarks in addition to displaying attributes for said bookmarks. The folder heading utilized to separate the different bookmark groups can also be looked upon as a display attribute for those bookmarks.

The Examiner finally wishes to point out wherein the content stored in the folders of the Microsoft FrontPage Screen Shots were web addresses (i.e. links) to be accessed by a user. The Khan reference has been relied upon, as well as the Appellant's own recitation in the background of invention, to teach that the bookmark content as claimed were stored links to web sites.

(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

Adam L. Basehoar



10/17/07


STEPHEN HONG
SUPERVISORY PATENT EXAMINER

Conferees:

Stephen Hong, Supervisory Patent Examiner for GAU 2178

Doug Hutton, Supervisory Patent Examiner for GAU 2176


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